REMARKS

Claims 1-51 were pending in this application before submission of this paper. Claims 1-51 were rejected. Claims 1, 12, 16, 27, 31, and 42 are amended. Claims 46-51 are cancelled. No new matter has been added. Claims 1-45 are currently pending in this application. In view of the amendments and the following remarks, reconsideration and allowance of all pending claims are respectfully requested.

Claims 1-3, 10-12, 16-18, 25-27, 31-33, 40-42 and 46-51 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Angel* in view of *Bittner*. Claims 4, 6, 19, 21, 34, and 36 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Angel* in view of *Bittner* and further in view of *Grossman*. Claims 8, 23, and 38 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Angel* in view of *Bittner* and further in view of *Yellin*. Claims 5, 7, 20, 22, 35, and 37 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Angel* in view of *Bittner* and further in view of *Grossman, Whygodny, Miller*, and *O'Donnell*. Claims 9, 24, and 39 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Angel* in view of *Bittner* and further in view of *Yellin, Whygodny, Miller*, and *O'Donnell*. Applicant respectfully traverses this rejection. Neither *Angel, Bittner, Grossman, Yellin, Whygodny, Miller, O'Donnell*, nor any combination thereof, teach all of the features recited in Applicant's claims as amended.

The Office Action rejected independent Claim 1 by citing a procedure described in *Angel* for instrumenting a byte code computer program and a procedure described in *Bittner* for eliminating redundant calculations. Claim 1 teaches "eliminating pairs of probe locations that would produce redundant information, wherein the eliminating occurs at a time other than when the application is being compiled." The method taught by Claim 1 is different from the procedures in *Angel* and *Bittner* cited by the Office Action.

The procedure in *Angel* is directed to examining byte code, selecting portions of the byte code for instrumentation, and instrumenting the portions to provide instrumented byte code. The procedure in *Bittner* is directed to the elimination of redundant calculations while the target program is being compiled such that no mathematical expression along any path in the target program is evaluated more than once. However, neither *Angel, Bittner*, nor any combination thereof teach that the redundant calculations are eliminated when the application is

not being compiled. Specifically, neither *Angel*, *Bittner*, nor any combination thereof disclose anything about "eliminating pairs of probe locations that would produce redundant information, wherein the eliminating occurs at a time other than when the application is being compiled," as recited in Applicant's amended Claim 1. Applicant respectfully submits that the rejection of Claim 1 is overcome and requests that the rejection be withdrawn.

Claims 12, 16, 27, 31 and 42, include limitations substantially similar (albeit different in other important ways) to the limitations claimed in the currently amended Claim 1. As discussed above, Claim 1 is allowable. Thus, Claims 12, 16, 27, 31 and 42 are allowable for at least the same reasons that Claim 1 is allowable, and notice to that effect is solicited.

Furthermore, dependent Claims 2-11, 13-15, 17-26, 28-30, 32-41 and 43-45 are allowable for at least the same reasons that the base claims on which they rely are allowable, and notice to that effect is solicited.

In view of the foregoing amendments and remarks, all pending claims are believed to be allowable and the application is in condition for allowance. Therefore, a Notice of Allowance is respectfully requested. Should the Examiner have any further issues regarding this application, the Examiner is requested to contact the undersigned attorney for the applicant at the telephone number provided below.

Respectfully submitted,

MERCHANT & GOULD P.C.

Timothy P. Sullivan
Registration No. 47,981
Direct Dial: 206.342.6254
JJF/ab

MERCHANT & GOULD P.C.
P. O. Box 2903
Minneapolis, Minnesota 55402-0903
206.342.6200

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PATENT TRADEMARK OFFICE